

PHARMACY EXAMINING BOARD  
REGULAR MEETING  
JULY 11, 2000

MEMBERS PRESENT: John Bohlman, RPH; Charlotte Rasmussen; Sue Sutter, RPH;  
Michael Bettiga, RPH; Cynthia Benning, RPH; Dan Luce, RPH;

MEMBERS EXCUSED: Georgina Forbes

LEGAL COUNSEL: William Black

STAFF PRESENT: Patrick D. Braatz

GUESTS: Susan Kleppin, Gregg Parnau, Christine Peacock, Gina Besteman,  
Adonnas Nehls, Rebecca Tillon, Ron Hermes, Miloni Desai,  
Kristen Niebauer, Chris Kotsch.

CALL TO ORDER

Chair John Bohlman called the meeting to order at 9:10 a.m.

APPROVAL OF AGENDA

Amendments: -Request for modification of Board Order-Cory Ford, R.Ph.  
-Request for three-month stay-Roger Iverson, R.Ph.  
-Report of implementation of recommendation-Pharmacy Corporation of  
America.  
-Request for three-month stay-John Schmitt, R.Ph.

MOTION: Michael Bettiga moved, seconded by Charlotte Rasmussen, to approve the  
agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 13-14, 2000

Amendments: -On page 2, regarding the request from Wal-Mart that variances are not granted  
to pharmacies that do not have a common central file.  
-On page 3, strike the sentence about distributors license.  
-On page 3, clarify the Luther Hospital Pharmacy request for a variance was not  
denied but further information was requested.  
-On page 5, period after rule. CSB is considering if pseudoephedrine should be  
scheduled as it is a precursor.  
-On page 5, Tikosyn does not need board approval nor jurisdiction.

MOTION: Cynthia Benning moved, seconded by Dan Luce, to approve the minutes of  
June 13-14, 2000 as amended. Motion carried unanimously.

## REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

These reports were informational.

### SECRETARY CUMMINGS

Reported on the upcoming Board Member Workshop that will be held at the end of this week.

### PUBLIC HEARING

Relating to conforming to federal regulations regarding controlled substances.

The public hearings began at 9:50 a.m. One speaker addressed the board expressing his support for the proposed rules. The public hearing concluded at 9:55 a.m.

### PRESENTATION OF PROPOSED STIPULATIONS

#### AVENTIS PASTEUR, INC.

Attorney Arthur Thexton presented a proposed stipulation in the matter concerning Aventis Pasteur, Inc. This matter will be deliberated on in closed session.

#### OSCO DRUG #1306

Attorney Arthur Thexton presented a proposed stipulation in the matter concerning Osco Drug #1306. This matter will be deliberated on in closed session.

### DISTRIBUTOR APPLICATIONS

MOTION: Sue Sutter moved, seconded by Michael Bettiga, to approve the distributor applications for **Ganes Chemicals, Inc of New Jersey, American Homepatient of Racine** and **American Homepatients of Milwaukee**. Motion carried unanimously.

### SCOPE STATEMENT REGARDING EXAMINATIONS

MOTION: Sue Sutter moved, seconded by Dan Luce, to approve the scope statement for publishing. Motion carried unanimously.

### SCOPE STATEMENT REGARDING CENTRAL FILL

This scope statement will not be available until the August meeting and Michael Bettiga and Cynthia Benning will assist Legal Counsel William Black on the draft of the scope statement.

## CENTRAL FILL REQUEST FROM MEDICINE SHOPPE

This item was presented for informational purposes only to show the requirements regarding the previously approved variance.

## PRACTICE QUESTIONS

### SYNCOR

MOTION: Cynthia Benning moved, seconded by Charlotte Rasmussen, to communicate with Syncor that if they are in compliance with Federal Regulations that they would be in compliance with Wisconsin Pharmacy Regulations. Motion carried unanimously.

Practice questions were reviewed and the Board gave direction to Legal Counsel William Black and requested that he respond based on the Board's interpretation.

## APPOINT A STEERING COMMITTEE FOR FALL 2001 NABP/AACP DISTRICT IV MEETING

Chairman John Bohlman appointed Dan Luce as Co-Chair, and the following members: Michael Bettiga, Patrick Braatz, Secretary Cummings or her designee. The Chairman invited the following to be members of the committee: Nathan Kanous or his designee from the UW School of Pharmacy; UW School of Pharmacy Dean Mel Weinswig or his designee; Alan Escovitz, NABP District IV Secretary, or his designee; and a representative from NABP.

## ESTABLISHING A RULES COMMITTEE MEETING DATES

MOTION: Cynthia Benning moved, seconded by Dan Luce to have the Board meeting begin at 11:00 a.m. on August 8<sup>th</sup>. Motion carried unanimously

## DISCUSSION REGARDING COLLABORATIVE PRACTICE RULE

This item is to be taken up at the next meeting and should be placed on the early part of the agenda.

## UPDATE ON LEGISLATION REGARDING STANDARD DRUG CARD CONSULTING WITH LEGAL COUNSEL

MOTION: Cynthia Benning moved, seconded by Dan Luce, to ask the Department to start the process to have legislation introduced regarding a standard drug card. Motion carried unanimously.

## REPORT OF CONTROLLED SUBSTANCE BOARD REPORT

No report as the CSB has not met since the last Board Meeting.

## REPORT OF PHARMACY INTERSHIP BOARD REPORT

No report as the PIB has not met since the last Board Meeting

## REGULATORY DIGEST

Board members reviewed the articles that were handed out for their approval.

## DISCUSSION REGARDING EXAMINATION CHANGES

Duane Dorn discussed via telephone that the new exam for August has been developed and will be able to be administered in place of the practical examination if the board wished to do so. However, he did express concerns with using this new exam and that members of the committee who helped to validate the test also had some concerns.

MOTION: Michael Bettiga moved, seconded by Sue Sutter, to approve going forward with the newly developed written examination for August. Motion carried unanimously.

MOTION: Cynthia Benning moved, second by Charlotte Rasmussen, to return to the old consultation examination following the August administration the examination rule can be changed. Roll call vote: Charlotte Rasmussen yes, Sue Sutter – no, Michael Bettiga – no, Dan Luce – yes, Cynthia Benning – yes, John Bohlman – no. Motion failed.

MOTION: Sue Sutter moved, second by Michael Bettiga to develop and essay based examination to replace the practical consultation examination until the rules can be changed. Roll call vote: Charlotte Rasmussen – no, Sue Sutter – yes, Michael Bettiga – yes, Dan Luce – yes, Cynthia Benning – no, John Bohlman – yes. Motion carried 4 to 2.

## 2001 MEETING DATES

MOTION: Cynthia Benning moved, seconded by Charlotte Rasmussen, to approve the 2001 meeting dates as presented. Motion carried unanimously.

## RECESS TO CLOSED SESSION

MOTION: Michael Bettiga moved, seconded by Sue Sutter, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of deliberation of proposed stipulations, considering requests for three month stays of suspension and changes in board orders, reviewing case status reports, discussion of exam issues and consulting with legal counsel. Roll call vote: John Bohlman – yes, Charlotte Rasmussen – yes, Sue Sutter – yes, Michael Bettiga – yes, Dan Luce- yes, Cynthia Benning – yes. Motion carried unanimously.

Open session recessed at 2:15 p.m.

## RECONVENE IN OPEN SESSION

MOTION: Cynthia Benning moved, seconded by Sue Sutter, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 4:05 p.m.

## VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

### PROPOSED STIPULATIONS

#### AVENTIS PASTEUR, INC.

MOTION: Sue Sutter moved, seconded by Michael Bettiga, to adopt the proposed stipulation in the matter concerning Aventis Pasteur, Inc. Motion carried unanimously.

#### OSCO DRUG #1306.

MOTION: Michael Bettiga moved, seconded by Cynthia Benning, to adopt the proposed stipulation in the matter concerning Osco Drug #1306. Motion carried unanimously.

## STAYS OF SUSPENSIONS/CHANGES IN BOARD ORDERS

#### KEVIN PAMPUCH, RPH

MOTION: Cynthia Benning moved, seconded by Charlotte Rasmussen, to approve a one-month stay of suspension for Kevin Pampuch, R.Ph., and if he is not in compliance by the August 9<sup>th</sup> board meeting he will be denied a further stay of suspension. Dan Luce abstained. Motion carried.

#### JOHN LITZENBERG, RPH

MOTION: Cynthia Benning moved, seconded by Michael Bettiga, to approve the three-month stay of suspension for John Litzenberg R.Ph. Dan Luce abstained. Motion carried.

#### GREGORY KUJAWA, RPH

MOTION: Michael Bettiga moved, seconded by Sue Sutter, to approve the three-month stay of suspension for Gregory Kujawa, R.Ph. Motion carried unanimously.

CRAIG MOON, RPH

MOTION: Michael Bettiga moved, seconded by Sue Sutter, to approve the three-month stay of suspension for Craig Moon, R.Ph., and to grant his request to open and close the pharmacy every fourth Sunday. Dan Luce abstained. Motion carried.

CORY FORD, RPH

MOTION: Dan Luce moved, seconded by Sue Sutter, to grant the request from Cory Ford, R.Ph., for a modification in his board order to allow for every other week therapy sessions. Motion carried unanimously.

ROGER IVERSON, RPH

MOTION: Michael Bettiga moved, seconded by Sue Sutter, to deny the request for a three-month stay of suspension for Roger Iverson, R.Ph., and inform him that he can apply to the board at the October board meeting. Motion carried unanimously.

JOHN R. SCHMITT, RPH

MOTION: Sue Sutter moved, seconded by Charlotte Rasmussen, to deny the request for a three-month stay of suspension to John R. Schmitt, R.Ph., and inform him that he can apply to the board at the October board meeting. Michael Bettiga abstained. Motion carried.

APPLICATION REVIEW

CARMEN C. INQUILLA, RPH

MOTION: Dan Luce moved, seconded by Sue Sutter, to accept her application and allow her to take the examination. Motion carried unanimously.

CASE STATUS REPORT

MOTION: Sue Sutter moved, seconded by Michael Bettiga, to close complaint 00 PHM 003 for prosecutorial discretion. Case Advisor – Dan Luce. Motion carried unanimously.

MOTION: Dan Luce moved, seconded by Sue Sutter, to close complaint 00 PHM 013 for no violation. Case Advisor – Charlotte Rasmussen. Michael Bettiga abstained. Motion carried.

INFORMATIONAL ITEM

The Board reviewed an update on drafting legislation for a standard Wisconsin drug card.

## ADJOURNMENT

The meeting adjourned by consensus at 4:10 p.m.

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